

# ONTARIO NDP ANTI-HARASSMENT POLICY

Adopted Provincial Executive March 16, 2018

## 1. Policy Statement

The Ontario New Democratic Party (the “ONDP”) is committed to promoting a harassment-free environment at all Party activities.

Mutual respect must be the basis of interaction among New Democrats in addition to co-operation and understanding. We will neither tolerate nor condone behaviours that are likely to undermine the dignity of an individual or a group, or create an intimidating, hostile or offensive environment.

The intention of this updated Policy and enhanced procedures is to:

- promote the safety and security of all persons covered by this policy;
- to take measures to prevent harassment from taking place within the ONDP; and
- to outline how the ONDP will act upon incidents and complaints of harassment.

## 2. Scope

This Policy applies to all members, staff, and volunteers of the ONDP during their participation in all formally organized ONDP events, including:

- Training Workshops;
- Councils;
- Conventions;
- Party Executive Meetings;
- Administration Committee Meetings;
- Area Councils;
- Riding Association Executive Meetings;
- General Meetings;
- Annual General Meetings;
- Election Campaign offices and activities;
- Nomination Campaigns and Nomination Meetings;
- Party Committee Meetings;
- any other ad hoc meetings or events formally convened by ONDP leaders for official Party purposes.

## 3. Definitions

In this Policy:

“**harassment**” means: Engaging in a course of comment or conduct that is known or ought reasonably to be known to be unwelcome.

Examples include but are not limited to:

# **ONTARIO NDP ANTI-HARASSMENT POLICY**

Adopted Provincial Executive March 16, 2018

- name-calling, jokes and innuendos or behaviours that demean, humiliate or intimidate;
- unwelcome physical closeness;
- Unwanted touching, advances or leering; and
- Sexually suggestive comments or gestures.

Harassment is particularly problematic where it is based on the complainant's sex, sexual orientation, gender identity or gender expression, race, ethnicity, age, religious affiliation, and/or because they are differently abled and/or have a disability.

Harassment is not a joke. It creates feelings of uneasiness, humiliation, and discomfort. Often, it is an expression of perceived power and superiority by the harasser(s) over another person or group.

**“person”** means a person to whom this Policy applies as set out in the Scope.

## **4. Preventing Harassment**

It is the mutual responsibility of all members, staff and volunteers of the ONDP to ensure that we promote a harassment-free political party.

### **The ONDP's Commitment**

The ONDP commits to being a harassment-free organization. This includes:

- a) making members, staff and volunteers of the ONDP aware of this Policy;
- b) investigating reports of harassment promptly and fairly; and
- c) identifying and implementing appropriate corrective measures to address incidents of harassment.

### **Duties of all members, staff and volunteers of the ONDP**

All persons are required to ensure their behaviour does not violate this policy and to foster an environment that is based on respect and is free from harassment.

If any person becomes aware of harassment which is covered by this Policy, the person should:

- a) speak with the complainant to see if they would like to be supported in addressing the harassment informally with the respondent;
- b) if the matter is of a serious nature and/or it could harm the complainant and/or the ONDP, the person should report the existence of such harassment to the ONDP's Anti-Harassment Officer;
- c) assist in the investigation of the matter as required; and
- d) maintain the confidentiality of the process by not discussing the matter with persons except as required in the investigation of the matter.

# **ONTARIO NDP ANTI-HARASSMENT POLICY**

Adopted Provincial Executive March 16, 2018

## **5. Procedure for Resolving and Investigating and Harassment Incidents and Complaints**

### **Informal Procedure**

If a person believes they are being harassed in a context covered by this Policy, the first thing to do is to tell the alleged harasser to stop as soon as possible.

This can be done either by the member being harassed on their own (verbally or in writing), or with the assistance of a third party. You can also report the incident(s) to the Anti-Harassment Officer, to request assistance in the initial, informal process.

It helps to keep a written record of any incident(s) of harassment. This includes when the harassment started, what happened, whether there were any witnesses and what the response was.

### **Formal Procedure**

If the incident or complaint of harassment falling within the scope of this Policy cannot be resolved informally or if it is too serious to be handled on an informal basis, persons may bring a formal complaint.

Complaints may be filed with the Anti-Harassment Officer and should be in writing. It is important that written complaints are filed as soon as possible.

When bringing a formal complaint forward, as much written information as possible will be needed, including:

- the name(s) of the person(s) you believe is harassing you or has not conducted themselves according to Ontario NDP principles;
- the place, date and time of the incident(s),
- the names of any possible witnesses, and
- any other documents relating to the alleged harassment.

Once a complaint is received, the Anti-Harassment Officer will review the complaint and make a recommendation on how the complaint should be processed and investigated to the Provincial Secretary. If the complaint relates to the Provincial Secretary, the Anti-Harassment Officer will provide the recommendation to the Party President.

If the complaint relates to the Anti-Harassment Officer or if no Anti-Harassment Officer is assigned, the complaint may be filed with the Provincial Secretary. If the complaint relates to the Provincial Secretary, the complaint may be filed with the Party President. Where the Party President must handle a complaint under this Policy, the Party President shall step into the

# **ONTARIO NDP ANTI-HARASSMENT POLICY**

Adopted Provincial Executive March 16, 2018

place of the Provincial Secretary for the purposes of this Policy, and shall oversee the Investigation of the complaint and Corrective Action.

## **Investigation**

An investigation will be undertaken as quickly as possible to make findings of whether in fact harassment has occurred.

The process engaged and scope of the investigation will depend on the circumstances of the particular complaint, and shall be at the discretion of the Provincial Secretary in consultation with the Administrative Committee. The ONDP may have the Anti-Harassment Officer, the Provincial Secretary, or any other appropriate individual conduct the investigation; compile an appropriate committee to conduct the investigation, engage an external investigator to conduct the investigation, or engage other means of conducting the investigation, depending on the nature of the incident or complaint.

### The investigation may include:

- interviewing the complainant and respondent by any means deemed appropriate to ascertain all of the facts and circumstances relevant to the incident or complaint, including dates and locations;
- interviewing witnesses deemed relevant by the investigator, if any, by any means deemed appropriate;
- reviewing any related documentation; and
- maintaining detailed records of the investigation and filing them in a confidential file.

Once the investigation is complete, the investigator(s) will prepare a report of the findings of fact. The report may also include a recommendation of what action(s) should be taken as a result of the investigation.

The Provincial Secretary will consider the investigator's Report and determine the corrective action required. This determination shall be done in consultation with the Administration Committee.

The complainant and respondent will be made aware of the findings and provided with a written notice indicating the outcome of the investigation. They will not necessarily be provided with a copy of the Report.

The goal is to complete any investigation and communicate the results to the complainant and respondent within a reasonable time frame after becoming aware of an incident or a complaint is received and, where possible, within 90 days.

## **6. Corrective Action**

# **ONTARIO NDP ANTI-HARASSMENT POLICY**

Adopted Provincial Executive March 16, 2018

If a finding of harassment is made, the ONDP will take appropriate corrective measures in the circumstances.

Corrective measures may include but are not limited to one or more of the following:

- apology;
- participation in appropriate training;
- reprimand from the Provincial Secretary;
- limitations on participation at Party events;
- suspension or expulsion from the Party, pursuant to the Constitution of the ONDP; and
- any other measures deemed appropriate in the circumstances.

Any appeals to the final decision may be made in accordance with the Party's Constitution and bylaws and/or common practice as applicable, with the proviso that the confidentiality of such an appeal will be protected to the extent possible.

## **7. Confidentiality and Cooperation in the Reporting and Investigation**

Harassment complaints and investigations will be kept confidential to the extent possible.

The complainant, respondent, witnesses, and anyone else involved in or aware of the investigation are each expected to maintain confidentiality throughout the investigation.

All persons involved in an investigation are required to fully cooperate in the investigation process and to not behave in a manner that could undermine the integrity of the investigation.

## **8. What to do if you are asked to stop your behaviour or if you are accused of harassment**

If someone asks you to stop behaviours which could reasonably constitute violence or harassment under this policy, consider their request seriously. Even if you did not have ill intent, your behaviour could be perceived as harassment by another person. People come from different backgrounds and have different experiences, and even though your behaviour may seem acceptable to you, it may be upsetting to another person. This could be a learning opportunity for you. Remember to keep an open mind and check your privilege and perspective.